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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,285	02/24/2004	Nagesh S. Kommareddi	194-37362-US	3845

24923 7590 12/08/2004
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EXAMINER

TESKIN, FRED M

ART UNIT

PAPER NUMBER

1713

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

MLW

Office Action Summary

Application No.

10/785,285

Applicant(s)

KOMMAREDDI ET AL

Examiner

Fred M Teskin

Art Unit

1713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-23 is/are allowed.
- 6) ☒ Claim(s) 24-43 is/are rejected.
- 7) ☒ Claim(s) 28,29,39 and 40 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 022404.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claims 1-43 are currently pending and under examination.

Claims 28-29 and 39-40 are objected to under 37 CFR 1.75 as being substantial duplicates of claims 24 and 35, respectively. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claims 24 and 35 are drawn to an *apparatus* whereas claims 28, 29, 39 and 40 each recite temperature conditions during a polymerization *process*. It is not clear from the antecedent disclosure what if any structural limitation(s) is added to the apparatus of claims 24 and 35 by the recitation of temperature conditions in an intended use thereof. Identification of further structural limitations imposed by said dependent claims or cancellation or amendment thereof is required.

Claims 24-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the following grounds for indefiniteness apply to the indicated claims.

Claims 24 and 35 each provide the limitation to "the *at least partially cured* polymer ...". There is inadequate antecedent basis for this limitation in the claims.

Likewise, claims 29 and 40 each provide the limitation to "the polymerization temperature," which lacks proper antecedent basis in the respective parent claims.

The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

Freitag et al is pertinent to the use of a plurality of plungers to feed reactant(s) from at least one header barrel through a plurality of transfer lines into a plurality of (semi)continuous reactor vessels (note claims 1 and 12).

Baxter et al is pertinent to shell and tube reactors for olefin polymerization (note Fig. 1).

Nowakowsky et al is pertinent to the production of crosslinked polymers in a single-screw cylindrical mixer equipped with a stirrer shaft having disk segments and mixing bars (note Fig. 1).

Claims 1-23 are allowable on the present record. Claims 24-43 would be allowable if rewritten or amended to overcome the objection and the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter: The claimed method of preparing a polymer employing at least one reaction chamber configured as a linear void space as defined in independent claims 1 and 14, and including the step of removing essentially all of the polymer from each reaction chamber with a harvesting plunger traveling along the linear axis of the void space from the first end to the second end of each reaction chamber, is not disclosed nor fairly suggested in any prior art located or identified by the examiner as of the date of this

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Office action. Likewise, an apparatus comprising the claimed combination of "at least one reaction chamber", "shell" and "at least one harvesting plunger" as defined in independent claims 24 and 35, is neither taught nor suggested in the prior art.

Any inquiry concerning this communication should be directed to Examiner F. M. Teskin whose telephone number is (571) 272-1116. The examiner can normally be reached on Monday through Thursday from 7:00 AM - 4:30 PM, and can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu, can be reached on (571) 272-1114. The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FMTeskin/12-04-04


FRED TESKIN
PRIMARY EXAMINER
1713